

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HOWARD K. STERN,

Plaintiff,

vs.

RITA COSBY and
HACHETTE BOOK GROUP USA, INC.
d/b/a Grand Central Publishing, and
JOHN or JANE DOE,

Defendants.

JUDGE CHIN

**MOTION TO ADMIT *PRO*
*HAC VICE***

Case No.

07 CIV 8536

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Belina Anderson, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

John C. Patton (GA Bar No. 567232)
POWELL GOLDSTEIN LLP
One Atlantic Center
Fourteenth Floor
1201 West Peachtree Street, N.W.
Atlanta, Georgia 30309
Telephone: (404) 572-6600
Facsimile: (404) 572-6999

Mr. Patton is a member in good standing of the Bar of the State of Georgia. There are no pending disciplinary proceedings against Mr. Patton in any State or Federal court.

Dated: October 2, 2007

Respectfully submitted,



Belina Anderson, Esq.
SDNY Bar Roll Number BA5133
GILBERTI STINZIANO HEINTZ & SMITH, P.C.
Attorneys for Plaintiff, Howard K. Stern
885 Third Avenue, Suite 2730
New York, New York 10022-4834
Telephone: (212) 588-8868
Facsimile: (212) 588-8894

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HOWARD K. STERN,

Plaintiff,

vs.

RITA COSBY and
HACHETTE BOOK GROUP USA, INC.
d/b/a Grand Central Publishing, and
JOHN or JANE DOE,

Defendants.

**AFFIDAVIT OF BELINA
ANDERSON IN SUPPORT
OF MOTION TO ADMIT
JOHN C. PATTON, ESQ. *PRO
HAC VICE***

Case No.

STATE OF NEW YORK)
) s.s.:
COUNTY OF NEW YORK)

Belina Anderson, being duly sworn, hereby deposes and says as follows:

1. I am associated with the law firm of Gilberti Stinziano Heintz & Smith, P.C., counsel for the Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein. I submit this affidavit in support of Plaintiff's motion to admit *pro hac vice*, John C. Patton, an associate with the Atlanta, Georgia law office of Powell Goldstein LLP with an address and telephone number as follows: One Atlantic Center, Fourteenth Floor, 1201 West Peachtree Street, NW, Atlanta, Georgia 30309-3488; telephone number (404) 472-6600.

2. Plaintiff files this motion to admit John C. Patton, Esq. *pro hac vice* simultaneous with filing the Summons and Complaint in this action. John C. Patton, an associate with the Atlanta, Georgia law office of Powell Goldstein LLP, will act as counsel for the Plaintiff. Plaintiff also separately moves for the *pro hac vice* admission of three other attorneys with the

Powell Goldstein firm: L. Lin Wood, a partner; Nicole Wade, a partner; and Luke Lantta, an associate.

3. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1989.

4. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

5. Gilberti Stinziano Heintz & Smith, P.C., will act as local counsel to Powell Goldstein LLP in this action.

6. I have worked with Mr. Patton over the past few months on another litigation that is pending in New York.

7. Upon information and belief, Mr. Patton was admitted to practice law in the State of Georgia on June 27, 1997.

8. A Certificate of Good Standing reflecting Mr. Patton's good standing as an attorney admitted to the bar of the State of Georgia is annexed hereto and made part hereof as Exhibit A.

9. In working with Mr. Patton, I have found him to be a skilled attorney and a person of integrity. I understand that Mr. Patton is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

10. I believe that Plaintiff will benefit from Mr. Patton's participation as counsel for the Plaintiff in this lawsuit, with my law firm acting as local counsel.

11. I believe that Mr. Patton meets all of the qualifications for admission *pro hac vice* and to practice law before the courts of this State.

12. Accordingly, I am pleased to move the admission of John C. Patton *pro hac vice*.

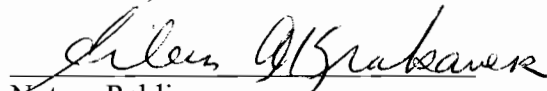
13. I respectfully submit a proposed order granting the admission of John C. Patton *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit John C. Patton *pro hac vice* to represent Plaintiff in the above captioned matter be granted.

Dated: October 2, 2007
New York, New York


Belina Anderson, Esq. (SDNY Bar Roll #BA5133)

Sworn to before me this 2nd day
of October, 2007.


Notary Public

EILEEN A. KRAKAUER
Notary Public, State of New York
No. 01KR4637224
Qualified in Queens County
Commission Expires April 30, 2010

STATE BAR OF GEORGIA



Lawyers Serving the Public and the Justice System

Mr. John Christopher Patton
Powell Goldstein LLP
1201 W. Peachtree St., N.W., 14th Floor
Atlanta, GA 30309

CURRENT STATUS: Active Member-Good Standing

DATE OF ADMISSION TO PRACTICE: 06/27/1997

Attorney Bar Number: 567232

Today's Date: September 24, 2007

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition
N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

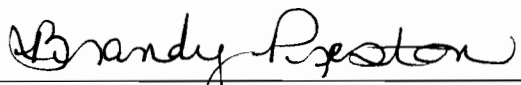
- Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- Sworn in to the Superior Court in Georgia, which is the highest court needed for individuals to practice law in the State of Georgia.
- Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by **State Bar Rule 1-204**. The member is current in license fees and is not suspended or disbarred as of the date of this letter.

STATE BAR OF GEORGIA


Official Representative of the State Bar of Georgia

HEADQUARTERS

104 Marietta Street, Suite 100
Atlanta, Georgia 30303
(404) 527-8700 ■ (800) 334-6865
FAX (404) 527-8717
www.gabar.org

SOUTH GEORGIA

244 E. Second Street (Zip 31794)
P.O. Box 1390
Tifton, Georgia 31793-1390
(229) 387-0446 ■ (800) 330-0446
FAX (229) 382-7435

**AGENCY AFFIDAVIT
ESSENTIAL SERVICES GROUP
555 EIGHTH AVE., SUITE 1901
NEW YORK, N.Y. 10018
TEL.#212-760-2300, FAX#212-760-00188**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWARD K. STERN

VS. INDEX#07CIV 8536

RITA COSBY, ET AL.

State of New York, County of New York, SS:

JACK JOHNSON, being duly sworn deposes and says that deponent is over the age of eighteen years, is not a party to this action and is a resident of New York State.

On **OCTOBER 3/07 AT 12:35P.M. at:**

C/O CT CORPORATION SYSTEMS

111 8TH AVE.

NEW YORK, N.Y. 10020 Deponent served the annexed:

SUMMONS;

COMPLAINT;

MOTION TO ADMIT PRO HAC VICE OF LUKE LANTTA;

MOTION TO ADMIT PRO HAC VICE NICOLE JENNINGS WADE;

MOTION TO ADMIT PRO HAC VICE JOHN C. PATTON;

THE CIVIL COVER SHEET;

INDIVIDUAL PRACTICES OF JUDGE CHIN;

INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE EATON,

NOTICE OF RIGHT TO PROCEED BEFORE A U.S. MAGISTRATE JUDGE

on **HACHATT BOOK GROUP**

by delivering thereat a true copy to NORA DINDYAL (PROCESS SPECIALIST)

personally; who represented to deponent that (s)he was authorized to accept service of process on behalf of HACHATT BOOK GROUP.

Deponent describes the individual served as follows:

Sex/Race(skin color): FEMALE/BROWN

Hair/ Approximate Age: BLACK/ 30-40 YRS.

Approximate height/Approximate weight: 5'5"/125 LBS.

Jack Johnson
Process License
1181702

564/

PS10-07-12

sworn to before me this

9 day -of

October 07

Julius D. Ringelheim



**AFFIDAVIT OF PERSONAL SERVICE
ESSENTIAL SERVICES GROUP
555 EIGHTH AVE., SUITE 1901
NEW YORK, N.Y. 10018
TEL.#212-760-2300
FAX. 212-760-0188**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWARD K. STERN

VS.

INDEX#07CIV 8536

RITA COSBY, ET AL.

State of New York, County of New York SS:

JACK JOHNSON, being duly sworn deposes and says that deponent is over the age of eighteen years: Is not a party to this action and is a resident of New York State That on **OCTOBER 3/07 AT 7:10P.M.** at **IN FRONT OF:CLUB PACHE 618 WEST 46TH STREET**

NEW YORK, N.Y. Deponent served the annexed **SUMMONS;**
COMPLAINT;

MOTION TO ADMIT PRO HAC VICE OF LUKE LANTTA;
MOTION TO ADMIT PRO HAC VICE NICOLE JENNINGS WADE;
MOTION TO ADMIT PRO HAC VICE JOHN C. PATTON;
THE CIVIL COVER SHEET;

INDIVIDUAL PRACTICES OF JUDGE CHIN;
INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE EATON;
NOTICE RIGHT TO PROCEED BEFORE A U.S. MAGISTRATE JUDGE,
on **RITA COSBY** by delivering a true copy to said **RITA COSBY** personally.

Deponent asked the person spoken to whether **RITA COSBY** was in the military service of the u.s. Government and was told **RITA COSBY** was not.

Deponent describes the individual served as follows:
Sex/Race(skin color): **FEMALE/ WHITE**

Hair Color/Approximate Age: **BLOND/35-45 YRS.**

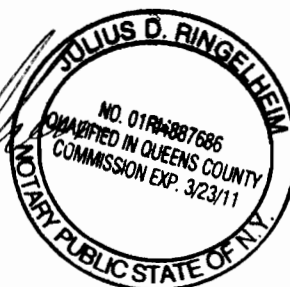
Approximate height/Approximate weight: **5'9"/135 LBS.**

564PS10-07-13

Sworn to before me this
9 day of

October 07

Julius D. Ringelheim



Jack Johnson
Process License
#1181702